

To: Snyder, Doug[Snyder.Doug@epa.gov]; Dressel, Paul[DRESSEL.PAUL@EPA.GOV]; Abraham, Dennis[Abraham.Dennis@epa.gov]; Wolfgang, Luke[Wolfgang.Luke@epa.gov]; Lee, Matthew T.[lee.matthew@epa.gov]; Crutchley, Gerard[Crutchley.Gerard@epa.gov]; Young, Justin[Young.Justin@epa.gov]
Cc: Jimenez, Jose[JIMENEZ.JOSE@EPA.GOV]; bigioni, neil[bigioni.neil@epa.gov]; Beers, Samantha[beers.samantha@epa.gov]
From: Staves, Robert
Sent: Fri 1/24/2014 5:29:02 PM
Subject: RE: Action Needed- Freedom Industries Chemical Spill FOIA Requests
[Poca Appendix 5.pdf](#)
[Poca Blending Final Report.doc](#)
[POCABLENDINGInformationRequestLetter8.23.2010.doc](#)

Continuation of files.

Rob

From: Snyder, Doug
Sent: Friday, January 17, 2014 3:14 PM
To: Dressel, Paul; Staves, Robert; Abraham, Dennis; Wolfgang, Luke; Lee, Matthew T.; Crutchley, Gerard; Young, Justin
Cc: Jimenez, Jose; bigioni, neil; Beers, Samantha
Subject: RE: Action Needed- Freedom Industries Chemical Spill FOIA Requests

Paul,

I don't have anything responsive to this request for Poca Blending.

Doug Snyder

Acting Branch Chief

EPA R3 ORC Air Branch

From: Dressel, Paul
Sent: Friday, January 17, 2014 2:52 PM
To: Staves, Robert; Abraham, Dennis; Wolfgang, Luke; Lee, Matthew T.; Crutchley, Gerard; Young,

Justin

Cc: Jimenez, Jose; bigioni, neil; Snyder, Doug; Beers, Samantha

Subject: FW: Action Needed- Freedom Industries Chemical Spill FOIA Requests

In conducting a compliance review of Freedom Industries, in response to the Spill in Charleston WV, we discovered that Freedom owns POCA Blending – in Nitro WV.

Based on a brief discussion with the attorney assigned to the FOIA; documents regarding the 2009 OECEJ inspection of POCA Blending would responsive to this request.

Please let me know if you have documents (paper and electronic) as well as email, regarding that inspection/case

Paul G. Dressel, Deputy Director

US EPA Region 3

Office of Enforcement, Compliance

and Environmental Justice

215-814-2154

dressel.paul@epa.gov

From: Fritz, Frank

Sent: Friday, January 17, 2014 1:56 PM

To: duteau, helen

Cc: Dressel, Paul; Tate, Rita

Subject: RE: Action Needed- Freedom Industries Chemical Spill FOIA Requests

The AP (Henry) FOIA Request asks for, among other things, “3.) Any inspection, enforcement or regulatory actions taken against Freedom Industries Inc.”

Mr. Mohit Dayal's FOIA request (at least the part of it that I have)

reads:

"I would like to make a document request under the Freedom of Information Act. I am requesting information for Freedom Industries Inc. Their facility is located at 1015 Barlow Drive, Charleston, WV 25311. I am interested in the following types of documents:

- 1) Any and all correspondence and studies performed in regards to the January 2014 spill.
- 2) All documents related to violations, fines and penalties, facility and tank inspections, as well as odor and visibility complaints.

Please let me know which files are available, and in what format (digital/hard copy) and when the files can be compiled or enumerated so that we may proceed."

Your documents might fall under AP's request 3 or Mr. Dayal's request 2.

We could call the requesters, and ask if they like what you have. Let me call you and let's talk about it.

Frank

From: duteau, helen
Sent: Friday, January 17, 2014 1:14 PM
To: Fritz, Frank
Cc: Dressel, Paul
Subject: FW: Action Needed- Freedom Industries Chemical Spill FOIA Requests

Frank...any thoughts?

From: Dressel, Paul

Sent: Friday, January 17, 2014 1:13 PM

To: duteau, helen

Subject: RE: Action Needed- Freedom Industries Chemical Spill FOIA Requests

Helen

I have a question.

OECEJ conducted an inspection of POCA Blending, in Nitro WV in 2009

POCA is owned by Freedom.

Do you think documents regarding that facility inspection would be covered or responsive to these FOIAs ?

Paul G. Dressel, Deputy Director

US EPA Region 3

Office of Enforcement, Compliance

and Environmental Justice

215-814-2154

dressel.paul@epa.gov

From: duteau, helen

Sent: Friday, January 17, 2014 11:26 AM

To: R3 Deputies

Cc: R3 DIRECTORS; Tate, Rita; Fritz, Frank

Subject: Action Needed- Freedom Industries Chemical Spill FOIA Requests

Importance: High

Dear Deputy Division Directors,

Please forward this message to your divisions and ask them to respond to you. Please screen the responses to estimate (1) the number of employees with responsive documents and (2) the volume of documents. **Then send the estimated number of employees and volume to Rita Tate by Tuesday, January 28.** We will determine the most efficient way to collect the documents once we have those estimates. Questions? Ask Rita Tate (x3424) or Frank Fritz (x2664). Thank you for your assistance in this important matter.

Message to Division:

Do you have documents related to the Charleston WV Chemical Spill or Freedom Industries, Inc.?

We have received at least two requests under FOIA for documents related to the Charleston WV Chemical Spill from the Freedom Industries, Inc. facility (formerly the Pennzoil refinery).

Please respond to this email **by Wednesday, January 22** and state whether you have any documents related to:

- ☐ ☐ ☐ ☐ ☐ ☐ the Charleston WV Chemical Spill
- ☐ ☐ ☐ ☐ ☐ ☐ Freedom Industries Inc.

Please briefly describe the kinds of documents you have. This includes email, email attachments, hard copies, electronic documents like Word or Excel files, databases, etc.

Preserve all these documents; do not delete, destroy or discard

EPA has an obligation to ensure that material responsive to these FOIAs is not deleted, destroyed, or discarded.

The Region hopes to streamline the process for responding to Charleston WV Chemical Spill FOIAs by collecting and consolidating the Region's information into one or more electronic or hardcopy repositories. We are asking for your cooperation in this effort.

Again, to help assure the we fulfill our obligations in our data collection and FOIA response efforts, **you should not delete, destroy or discard any e-mails, e-mail attachments, electronic files, papers (including handwritten notes) or other documents related to the Charleston WV Chemical Spill or Freedom Industries, Inc.**

Helen DuTeau, Acting Director

Office of Public Affairs

U.S. EPA Region 3

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